

IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

In re:

David Kirkland Andrews
2098 Nashville Hwy, Columbia, TN 38401
xxx-xx-6982
Debtor

BK: 22-03257-MH1-13

The Deadline for Filing a Timely Response Is: 11/9/22

If a Response Is Timely Filed, the Hearing Will Be: 12/21/22

Time and Location: 9:30AM at the Joint Hearing Courtroom (COL); (Virtual hearing if allowed; see website for details); 701 Broadway, Nashville TN

NOTICE OF MOTION TO COMPEL RETURN OF PERSONAL PROPERTY

David Kirkland Andrews has asked the court for the following relief: return of personal of personal property **YOUR RIGHTS MAY BE AFFECTED.** If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <<https://ecf.tnmb.uscourts.gov>>. If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.).
2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by viewing the case on the court's website at <<https://ecf.tnmb.uscourts.gov>>.

If you or your attorney does not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: October 19, 2022

/s/ J. Robert Harlan

J. Robert Harlan - BPR No. 010466
Harlan, Slocum & Quillen
Attorney for the Debtor
39 Public Square
PO Box 949
Columbia, TN 38402-0949
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MOTION TO COMPEL RETURN OF PERSONAL PROPERTY

Comes the debtor through counsel and would move the Court for an order requiring the return of earnest monies in the amount of \$15,000.00 held in trust by Wolaver, Carter & Heffington.

The debtor filed for Chapter 13 Bankruptcy relief October 10, 2022, which lists Middle Tennessee Law Group as a notice creditor on the petition schedules. The debtor has rejected the contract with Middle Tennessee law group, and requests that the Court order return of earnest monies held in trust by Wolaver, Carter & Heffington in the amount of \$15,000.00.

Respectfully submitted this 19th day of October, 2022.

/s/ J. ROBERT HARLAN
J. ROBERT HARLAN - BPR No. 010466
Attorney for the Debtors
P.O. Box 949
Columbia, TN 38402-0949
Phone - 931/381-0660
Fax - 931/381-7627
bknotices@robertharlan.com

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have mailed or sent electronic notice if applicable, a true and exact copy of the foregoing to the affected creditor and any parties in interest, Middle Tennessee Law Group 809 South main Street, Suite 100, Columbia , TN 38401, Jake Wolaver, 809 South Main Street, Suite 100, Columbia, TN 38401, Henry E. Hildebrand, III, the Chapter 13 Trustee, aoecf@ch13nsh.com and to the U.S. Trustee's Office, by placing the same in the U.S. Mail, postage pre-paid, this 19th day of October, 2022..

/s/ J. ROBERT HARLAN
J. ROBERT HARLAN - BPR No. 010466

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ORDER FOR RETURN OF PERSONAL PROPERTY

This order is submitted to the Court by the debtor through counsel upon the Motion to Compel the Return of Personal Property. The Court finds the time for response to the Notice and Motion to Compel the Return of Personal Property has expired and no objection has been filed.

IT IS, THEREFORE, ORDERED, Wolaver, Carter & Heffington return earnest monies held in trust in the amount of \$15,000.00 to the debtor.

This order was signed and entered electronically as indicated at the top of the page.

Approved for Entry:

/s/ **J. ROBERT HARLAN**
J. ROBERT HARLAN - BPR No. 010466
Attorney for the Debtors
P.O. Box 949
Columbia, TN 38402-0949
Phone - 931/381-0660
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CERTIFICATE OF COMPLIANCE

I, J. Robert Harlan, do certify that I have complied with the noticing requirement of Local Bankruptcy Rule 9013-1 by mailing or sending by electronic means if applicable, a copy of the attached document pertaining to the subject action to the Chapter 13 Trustee and the U.S. Trustee's Office:

Middle Tennessee Law Group
809 South main Street
Suite 100
Columbia, TN 38401

Jake Wolaver
809 South Main Street
Suite 100
Columbia, TN 38401

David Kirkland Andrews
2098 Nashville Hwy
Columbia, TN 38401

by placing the same in the U.S. Mail, postage pre-paid this 19th day of October, 2022.

/s/ J. ROBERT HARLAN
J. ROBERT HARLAN - BPR No. 010466
Attorney for the Debtors
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